

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 9-44 are currently pending in this application. Claims 9 and 27 have been amended to properly introduce a term for which an acronym is used. New claims 37-44 have been added to more distinctly claim subject matter which the Applicant regards as the invention. In addition to addressing the rejection of the most recent Office Action, comments herein will be directed to the new claims in order to preclude the rejection of the new claims similar to the rejection of original claims 1-8 found in the first Office Action. Claims 9-18, 22, 24, 27, 31, 33 and 34 have been amended to more distinctly claim subject matter which the Applicant regards as the invention. Applicant submits that no new matter has been introduced into the application by these amendments.

Telephonic Interview

The Examiner is thanked for holding a telephonic interview with the Applicant's representative on July 26, 2005, wherein the Examiner kindly gave notice that claims 9-36, indicated as allowable in the first office action, would not be allowed in view of additional prior art not previously cited.

Claim Rejections - 35 USC § 112

Claim 12 stands rejected under 35 USC § 112 because there is insufficient antecedent basis for the limitation "the WTRU". Claim 12 depends from Claim 9, which has been amended and now provides proper antecedent basis for this term. Withdrawal of the rejection of Claim 12 is respectfully requested.

Claim Rejections - 35 USC § 103

Claims 9–36 are rejected under 35 USC § 103(a) as being unpatentable over Kallio (U.S. Pub. No. 2002/0147008 A1) in view of Fraccaroli (U.S. Patent 6,549,768 B1), and further in view of Vazvan (U.S. Patent 6,400,946 B1).

As amended, the present claims are directed to a method and apparatus for handover of a wireless transmit/receive unit (WTRU) between a cellular network and a wireless local area network (WLAN). The coverage area of the WLAN is determined and the location of the WTRU is determined. The WTRU is informed of the existence of the WLAN by the cellular network when the WTRU approaches the coverage area of the WLAN, and is handed over between the cellular network and the WLAN as it moves into or out of the WLAN coverage area.

In contrast, the mobile station (MS) in Kallio does not learn of the existence of a WLAN in its vicinity from a cellular network. Instead, the MS “measures GSM neighbors but also other radio” (paragraph [0043] line 9). The MS thus monitors both GSM and WLAN radios, and it is the MS that informs the GSM system when it discovers a WLAN in its vicinity. Nothing in Kallio discloses or suggests that a cellular network notify a MS when it is in the vicinity of a WLAN, as in the present application. See also Kallio paragraph [0012], wherein the MS “may be configured to measure GSM neighbor cells, report a WLAN cell as an ordinary GSM cell....” Again, it is the MS that reports to the GSM system the existence of the WLAN. Thus, the present application as amended is easily distinguished from Kallio as to this feature.

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Fraccaroli is directed to a “matching system,” in which user profiles are matched, for use in dating services and the like. Associated with each user profile is location information of the user, and when one user location is close to another user location, the matching algorithm for matching the profiles of the two users is triggered (Fraccaroli column 8 lines 23-32). This is in contrast to the present application, in which the location of a mobile station is not correlated with another mobile station, but is correlated with the service area of a WLAN. Thus, the location correlation of the present application is easily distinguished from Fraccaroli.

Furthermore, Fraccaroli does not mention and is not directed to any type of handover functionality between wireless networks of different types, nor the problems associated therewith, as is the current application. Therefore, Fraccaroli does not pertain to the same field of endeavor. Someone trying to solve problems associated with handover between a cellular system and a WLAN would not look to Fraccaroli for a solution.

Vazvan is directed to the problems of interworking terrestrial and satellite communication systems. Vazvan does not teach or suggest, alone or in combination with Kallio and Fraccaroli, a cellular system that knows the location of a WLAN, tracks the position of a mobile station and informs the mobile station when it can access the WLAN.

Applicant believes independent claims 9, 18 and 27 are allowable over the cited prior art of record for the reasons provided above. Therefore, withdrawal of the 35 USC § 103(a) rejection of claims 9, 18 and 27 is respectfully requested.

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Claims 10-17, 19-26 and 28-36 depend from claims 9, 18 and 27, respectively, and Applicant believes them to be allowable over the cited prior art of record for the same reasons provided above. Withdrawal of the 35 USC § 103(a) rejection of claims 10-17, 19-26 and 28-36 is also respectfully requested.

Regarding new claims 37-44, similar claims 1-8 were previously rejected under 35 USC § 102(e) as being anticipated by Blight (U.S. Pub. No.: 2002/0184418 A1). As newly presented, claim 37 recites a mobile communications system in which a core network provides wireless service to a plurality of mobile units in communication with a first local network of a first type, which are also able to communicate with a second local network of a second type, wherein mobile unit communications are handed over between the first local network and the second local network. Blight does not disclose handing over mobile unit communications between a first network and a second network. Therefore, new claim 37 of the present application is easily distinguishable over Blight. New claims 38-44 depend from claim 37, and thus are also distinguishable over Blight.

Conclusion


If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

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In view of the foregoing amendment and remarks, Applicant respectfully submits that the present application, including claims 9-44, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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